

**ASSEMBLY BILL**

**No. 177**

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**Introduced by Assembly Member Mendoza**

January 24, 2011

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An act to amend Section 727.7 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 177, as introduced, Mendoza. Juveniles: parenting classes.

Existing law authorizes the juvenile court, if a minor is found to be within the jurisdiction of the juvenile court by reason of the commission of a gang-related offense, and the court finds that the minor is a first-time offender and orders that a parent or guardian retain custody of that minor, to order the parent or guardian to attend antigang violence parenting classes. Under existing law, the father, mother, spouse, or other person liable for the support of the minor, the estate of that person, and the estate of the minor are liable for the cost of the classes, unless the court finds that the person or estate does not have the financial ability to pay.

This bill would expand the authority of the juvenile court to order the parent or guardian of a minor to attend antigang violence parenting classes, to include a minor who has been deemed a habitual truant, or who is within the jurisdiction of the juvenile court for habitual disobedience or truancy, or for the commission of certain additional offenses.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 727.7 of the Welfare and Institutions Code is amended to read:

727.7. (a) If a minor is found to be ~~a person described in Section 602 by reason of the commission of a gang-related offense either of the following~~, and the court ~~finds that the minor is a first-time offender~~ and orders that a parent or guardian retain custody of that minor, the court may order the parent or guardian to attend antigang violence parenting classes:

(1) *A person described in Section 602 by reason of the commission of any of the following offenses:*

(A) *A gang-related offense, as defined in subdivision (c), if the court finds the minor has not previously committed a gang-related offense.*

(B) *The purchase, attempt to purchase, consumption, or possession of an alcoholic beverage, or presentation or possession of false identification, in violation of Section 25658, 25658.5, 25661, or 25662 of the Business and Professions Code.*

(C) *Possession of marijuana in violation of Section 11357 of Health and Safety Code, or planting, cultivating, harvesting, drying, or processing any marijuana in violation of Section 11358 of Health and Safety Code.*

(D) *Loitering, in violation of Section 11532 of the Health and Safety Code.*

(E) *Vandalism, in violation of Section 594 of the Penal Code.*

(F) *Trespass, in violation of subdivision (m) of Section 602 of the Penal Code.*

(G) *An act committed on or in a facility or vehicle of a public transportation system, in violation of paragraph (2), (3), (4), or (5) of subdivision (d) of Section 640 of the Penal Code.*

(H) *Disorderly conduct, in violation of subdivision (f) of Section 647 of the Penal Code.*

(I) *Any violation of the rules and regulations of the Department of Parks and Recreation established pursuant to Sections 5003 and 5008 of Public Resources Code.*

(J) *Evasion of fares on a public transportation system, in violation of Section 27176 of Streets and Highways Code.*

1     (K) *Unlawful taking or driving of a vehicle with the intent to*  
2     *temporarily deprive the owner of his or her possession, in violation*  
3     *of Section 10851 of the Vehicle Code.*

4     (2) *A person described in Section 601 or deemed a habitual*  
5     *truant pursuant to Section 48262 of the Education Code.*

6     (b) The Department of Justice shall establish curriculum for the  
7     antigang violence parenting classes required pursuant to this  
8     section, including, but not limited to, all of the following criteria:

9     (1) A meeting in which the families of innocent victims of gang  
10    violence share their experience.

11    (2) A meeting in which the surviving parents of a deceased gang  
12    member share their experience.

13    (3) How to identify gang and drug activity in children.

14    (4) How to communicate effectively with adolescents.

15    (5) An overview of pertinent support agencies and organizations  
16    for intervention, education, job training, and positive recreational  
17    activities, including telephone numbers, locations, and contact  
18    names of those agencies and organizations.

19    (6) The potential fines and periods of incarceration for the  
20    commission of additional gang-related offenses.

21    (7) The potential penalties that may be imposed upon parents  
22    for aiding and abetting crimes committed by their children.

23    (c) For purposes of this section, “gang-related” means that the  
24    minor was an active participant in a criminal street gang, as  
25    specified in subdivision (a) of Section 186.22 of the Penal Code,  
26    or committed an offense for the benefit of, or at the direction of,  
27    a criminal street gang, as specified in subdivision (b) or (d) of  
28    Section 186.22 of the Penal Code.

29    (d) The father, mother, spouse, or other person liable for the  
30    support of the minor, the estate of that person, and the estate of  
31    the minor shall be liable for the cost of classes ordered pursuant  
32    to this section, unless the court finds that the person or estate does  
33    not have the financial ability to pay. In evaluating financial ability  
34    to pay, the court shall take into consideration the combined  
35    household income, the necessary obligations of the household, the  
36    number of persons dependent upon this income, and whether  
37    reduced monthly payments would obviate the need to waive  
38    liability for the full costs.

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